

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NATIONAL AUDUBON SOCIETY,

Plaintiff,

- against -

Case No.:
1:20-cv-05065-LJL

NOTICE OF MOTION

DAVID BERNHARDT, *in his official capacity as Secretary of the Interior, United States Department of the Interior*,
AURELIA SKIPWITH, *in her official capacity as Director of the U.S. Fish and Wildlife Service*, UNITED STATES
DEPARTMENT OF THE INTERIOR, and U.S. FISH
AND WILDLIFE SERVICE,

Defendants.
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PLEASE TAKE NOTICE that upon this notice of motion, the Declaration of Scott J. Wahl, Business Administrator for the Borough of Avalon, New Jersey (“Avalon”), and the former Public Information Officer for the Borough of Stone Harbor (“Stone Harbor”) dated August 24, 2020 (the “Wahl Declaration”) and the Declaration of Ronald C. Simone III, the City Administrator for the City of North Wildwood (“North Wildwood”) (the “Simone Declaration”), dated August 21, 2020, along with the exhibits annexed thereto, the memorandum of law in support of the Borough of Avalon, Borough of Stone Harbor, and City of North Wildwood’s motion to intervene and all of the pleadings and proceedings heretofore had in the above-entitled action, the Borough of Avalon, Borough of Stone Harbor, and City of North Wildwood will move this Court before the Honorable Lewis J. Liman of the United State District Court, Southern District of New York, Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, New York 10007 for an order granting the Borough of Avalon, Borough of Stone Harbor, and City of North Wildwood’s motion to intervene pursuant to Fed. R. Civ. P. 24 and for such other and further relief as the Court deems just and proper.

Dated: Garden City, New York
August 24, 2020

CULLEN AND DYKMAN LLP

By: /s/ Ariel E. Ronneburger
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